



Doc Code: AP.PRE.REQ

PTO/SB/33 (01-09)

Approved for use through 02/28/2009. OMB 0651-0031

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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)

CHAU-0101US

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on March 2, 2009

Signature

Typed or printed name Roger N. Chauza

Application Number

10/686,915

Filed

10/16/2003

First Named Inventor

Roger N. Chauza

Art Unit

3741

Examiner

McMahon, Marguerite J.

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

☐

applicant/inventor.

☐

assignee of record of the entire interest.

See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

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March 2, 2009

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

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*Total of forms are submitted.

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REQUEST FOR REVIEW

Issues to be Reviewed

1. Whether independent claim 26 is anticipated by U.S. Patent Published Application 2003/0005913 by Shelor et al, and more particularly whether:

a) the limitation of claim 26 “providing aftermarket apparatus mounted to the engine ...” is disclosed in the Shelor et al reference; and

b) whether the Shelor et al reference discloses the presence of a demonstration, as claimed, and provides an indication of the affect of the engine performance, as claimed.

REQUEST 1

Issue 1 - Whether the limitation of claim 26 “providing aftermarket apparatus mounted to the engine ...” is disclosed in the Shelor et al reference

See the arguments concerning this claim limitation of claim 26 in the “Amendment and Response” filed March 2, 2009, and particularly pages 7-9

REQUEST 2

Issue 2 -Whether the Shelor et al reference discloses the presence of a demonstration, as claimed, and provides an indication of the affect of the engine performance, as claimed.

See the arguments concerning this limitation of claim 26 in the “Amendment and Response” filed March 2, 2009, and particularly at pages 10 and 11.

It is requested that the rejection of claim 26 be reviewed and withdrawn.